



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 1, 1996

Mr. Andrew A. Chance  
Powell & Chance, L.L.P.  
816 Congress Avenue, Suite 1100  
Austin, Texas 78701

OR96-1809

Dear Mr. Chance:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 101343.

Northeast Texas Community College (the "college") received a request for the following information:

(1) All personnel files for Dr. Wanda Schindley, including both formal and informal files maintained in the payroll, personnel, and administrative departments at Northeast Texas Community College.

(2) All records related to payments made by Northeast Texas Community College to the travel agency owned or operated by Dr. Dan McCauley, or to which Dr. Dan McCauley has an interest.

(3) The public notice containing the name or names of the finalists that were considered for the office of the Interim President for Northeast Texas Community College in the Spring of 1995.

(4) The names of original investors, whether individuals, corporations, partnerships, or other entities who have purchased the following bonds:

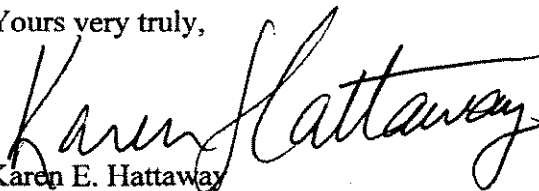
(a) 1986 general obligation refund bonds;

(b) 1986 compound interest, zero coupon, general obligation refund bonds;

parties to litigation have gained access to the information at issue under section 552.103(a), through discovery or otherwise, section 552.103(a) is no longer applicable to that information. Open Records Decisions Nos. 551 (1990), 454 (1986). Therefore, section 552.103(a) is no longer applicable to the attachments to which the complainant has had access. Accordingly, we conclude that, pursuant to section 552.103(a), the university may withhold from disclosure the memorandum and any attachments to which the complainant has not had access. The university must release to the requestor any attachments to which the complainant has had access.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 101368

Enclosures: Submitted documents

cc: Ms. Cecilia Balli  
The Brownsville Herald  
1135 E. Van Buren  
Brownsville, Texas 78520  
(w/o enclosures)

to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, reading "Karen Hattaway". The signature is fluid and cursive, with the first name "Karen" and last name "Hattaway" clearly distinguishable.

Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 101343

Enclosures: Submitted documents

cc: Ms. Melissa A. Charles  
Attorney at Law  
Meyer Building, Suite D  
420 N. Green Street  
Longview, Texas 75601  
(w/o enclosures)